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Richard J. Streit
Name

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Signature
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10-20-99
H. Little

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Terumi SUNAGA)
SERIAL NO: 08/820,608) Group Art Unit: 2732
FILED: March 19, 1997) Examiner: K. Vanderpuye
TITLE: SPREAD SPECTRUM COMMUNICATION)
TRANSMITTER AND RECEIVER, AND CDMA)
MOBILE COMMUNICATION SYSTEM AND)
METHOD)

THE ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

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RESPONSE

Dear Sir:

This is in response to the final Official Action dated July 14, 1999.
Applicant submits the following remarks in the response to the Official Action.

REMARKS

The Applicant notes with appreciation the Examiner's indication that claims 2, 3 and 5 would be allowable if rewritten in independent form including all of the limitations of their base claims and any intervening claims.

In the Official Action, the Examiner raises an obviousness objection with respect to claims 1, 4, 8 and 13 in view of the prior art disclosed in the present application, in combination with Tanaka, U.S. Patent No. 5,636,243.

In response, the Applicant respectfully submits that there would be no incentive to combine the prior art disclosed in the present application with the teachings of Tanaka '243 for the purpose of solving the problems addressed by the present invention, because the control channel of Tanaka '243 is used for a different purpose than the pilot signal of the present invention.

The TDMA control channel of Tanaka '243 is used for control information and data synchronization, and is never used for coherent demodulation. Rather, the